

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

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|----------------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 06-3114-06-CR-S-GAF |
| |) | |
| ELIAS MOHAMED, |) | |
| |) | |
| Defendant. |) | |

ORDER

Now pending before the Court is Defendant's Motion to Suppress Evidence and Statements. Defendant asserts that evidence and statements seized as a result of a vehicular stop should be suppressed because the officer did not have a reasonable basis to suspect criminal activity, and that because the reason for the initial stop had been completed and Defendant had been told he was free to leave, his continued detention was unlawful.

Chief United States Magistrate Judge James C. England conducted an evidentiary hearing on September 27, 2007. On October 23, 2007, Judge England issued his Report and Recommendation.

Upon careful and independent review of the pending motion, Defendant's objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of Chief United States Magistrate Judge James C. England.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress Evidence and Statements is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: November 9, 2007